

In re the Application of

Inventors:

Hitoshi IOCHI

Application No.:

10/516,364

Filed:

December 1, 2004

For:

BASE STATION APPARATUS AND METHOD OF

CONTROLLING TRANSMIT POWER OF RETRANSMISSION

PACKET

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The Nobuhiko Miki, et al. document is discussed in the present application on page 7, line 1 et seq. JP '692 corresponds to US '404, JP '771 corresponds to US

'023, JP '097 corresponds to US '877, and JP '741 corresponds to US '379.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

Date: March 8, 2005

Facsimile: (202) 408-5200

James E. Ledbetter Registration No. 28,732

JEL/ejw

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FORM PTO-1449 U.S. Department of Corporation Patent and Trademark INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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ATTY, DOCKET NO.

L9289.04185

SERIAL NO.

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APPLICANT

Hitoshi IOCHI

FILING DATE
December 1, 2004

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	_	International Search Report dated March 2, 2004.														
	N. MIKI, et al., "Comparison of Hybrid ARQ Packet Combining Algorithm in High S Packet Access in a Multipath Fading Channel," IEICE Trans. Fundamentals, Vol. El pages 1557-1568, July 2002.											gh Speed ol. E85-A	d Downli N, No. 7,	ink		
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EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.